

# Senate Study Bill 3056 - Introduced

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON SODDERS)

## A BILL FOR

1 An Act relating to the time period during which a vacation or  
2 appeal of a termination of parental rights order may be  
3 requested.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.117, subsection 10, Code 2016, is  
2 amended to read as follows:

3 10. If a termination of parental rights order is issued on  
4 the grounds that the child is a newborn infant whose parent  
5 has voluntarily released custody of the child under section  
6 232.116, subsection 1, paragraph "c", the court shall retain  
7 jurisdiction to change a guardian or custodian and to allow a  
8 parent whose rights have been terminated to request vacation  
9 or appeal of the termination order ~~which~~. Any such request  
10 ~~must be made filed~~ within thirty fifteen days of issuance of  
11 ~~the granting entry~~ of the termination order. The period for  
12 request for vacation or appeal by a parent whose rights have  
13 been terminated shall not be waived or extended and a vacation  
14 or appeal shall not be granted for a request made after the  
15 expiration of this period. The court shall grant the vacation  
16 request only if it is in the best interest of the child. The  
17 supreme court shall prescribe rules to ~~establish the period of~~  
18 ~~thirty days, which shall not be waived or extended, in which a~~  
19 ~~parent whose parental rights have been terminated may request a~~  
20 ~~vacation or appeal of such a termination order~~ administer this  
21 subsection.

22 Sec. 2. Section 600A.9, subsection 2, Code 2016, is amended  
23 to read as follows:

24 2. If an order is issued under subsection 1, paragraph "b"  
25 ~~of this section~~, the juvenile court shall retain jurisdiction  
26 to change a guardian or custodian and to allow a terminated  
27 parent or any putative biological parent to request vacation  
28 or appeal of the termination order ~~which~~. Any such request  
29 ~~must be made filed~~ within thirty fifteen days of issuance  
30 ~~of the granting entry~~ of the order. The period for request  
31 by a terminated parent or by a putative biological parent  
32 for vacation or appeal shall not be waived or extended and a  
33 vacation or appeal shall not be granted after the expiration  
34 of this period. The juvenile court shall grant the vacation  
35 request only if it is in the best interest of the child. The

1 supreme court shall prescribe rules to ~~establish a period of~~  
2 ~~thirty days, which shall not be waived or extended, in which a~~  
3 ~~terminated or putative biological parent may request a vacation~~  
4 ~~or appeal of a termination order~~ administer this subsection.

5

EXPLANATION

6           The inclusion of this explanation does not constitute agreement with  
7           the explanation's substance by the members of the general assembly.

8       This bill reduces the time period during which a request for  
9 vacation or appeal of a termination of parental rights order  
10 must be filed from within 30 days to within 15 days of the entry  
11 of the order under both Code chapter 232 (juvenile justice) and  
12 Code chapter 600A (termination of parental rights). The bill  
13 also directs the supreme court to prescribe rules to administer  
14 the provision.